

ORDINANCE NO. 2000-011

1 AN ORDINANCE OF THE BOARD OF COUNTY  
2 COMMISSIONERS OF PALM BEACH COUNTY,  
3 FLORIDA, AMENDING SECTION 17-116 OF THE  
4 CODE OF LAWS AND ORDINANCES RELATING TO  
5 THE PALM BEACH COUNTY GOVERNMENT,  
6 RELATING TO THE TOURIST DEVELOPMENT TAX  
7 PURSUANT TO THE "LOCAL OPTION TOURIST  
8 DEVELOPMENT ACT," PROVIDING FOR  
9 AUTHORIZATION TO EXPEND ADDITIONAL  
10 TOURIST DEVELOPMENT TAX REVENUES FOR THE  
11 PROMOTION OF PALM BEACH COUNTY AS A  
12 SPORTS DESTINATION; PROVIDING FOR REPEAL  
13 OF LAWS IN CONFLICT; PROVIDING FOR  
14 SEVERABILITY; PROVIDING FOR INCLUSION IN  
15 THE CODE OF LAWS AND ORDINANCES; AND  
16 PROVIDING FOR AN EFFECTIVE DATE.

17 WHEREAS, Section 17-116 of the Code of Laws and  
18 Ordinances relating to Palm Beach County Government/ Ordinance  
19 No. 95-30, the Tourist Development Ordinance of Palm Beach  
20 County, hereinafter "Ordinance", levied four percent (4%)  
21 Tourist Development Tax ("bed tax") for certain permissible  
22 uses as set forth in Section 125.0104, Florida Statutes; and

23 WHEREAS, the Ordinance established the Tourist  
24 Development Plan (Plan) which sets forth the specific uses and  
25 allocation of the revenues for the bed tax; and

26 WHEREAS, the Plan provided that a portion of the  
27 initial three percent (3%) bed tax revenues shall be expended  
28 to promote Palm Beach County as a sports destination; and

29 WHEREAS, the Tourist Development Council (Council)  
30 has recommended that additional tax revenues be expended to  
31 attract, stimulate, market and execute sports events and  
32 activities in order to promote the County nationally and  
33 internationally as a sports destination; and

34 WHEREAS, the Council has recommended the Plan be  
35 amended to include a provision for the additional expenditure

1 of tax revenues for sports events and activities; and

2           **WHEREAS,** the Council has reviewed the proposed  
3 changes to the Plan and has recommended amendment of the Palm  
4 Beach County Code/Tourist Development Ordinance to incorporate  
5 those changes; and

6           **WHEREAS,** the Board of County Commissioners hereby  
7 finds that these revisions to the Plan will advance, further  
8 and promote Palm Beach County tourism.

9           **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF**  
10 **COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

11           **Section I.** Section 17-116, Subsection (c), Reserve  
12 for Special Projects, is hereby amended as follows:

13           **C.(1) Reserve for Convention Center Operations and**  
14 **Maintenance and Special Major Projects and Events.**

15 Notwithstanding the percentages allocating the initial three  
16 percent (3%) of the bed tax revenues to the various categories  
17 of uses as set forth above in Subsection (b), each year the  
18 first two hundred and fifty thousand dollars (\$250,000.00) of  
19 the initial three percent (3%) of bed tax revenues shall be  
20 transferred into an account which shall be reserved for the  
21 operation and maintenance costs of a convention center  
22 (Category F) and the next one hundred thousand dollars  
23 (\$100,000.) of the initial three percent (3%) of the bed tax  
24 revenues shall be transferred into an account (Category E) which  
25 shall be reserved for special major projects and events which  
26 may arise from time to time offering the County the  
27 opportunity to further, advance, improve, promote, and  
28 generate Palm Beach County tourism. The Council shall review  
29 such projects to ensure that the expenditure of such funds is  
30 authorized under Section 125.0104(5), Florida Statutes, and is

1 consistent with the Plan. The Category E reserve account shall  
2 not exceed one million dollars (\$1,000,000.). In the event the  
3 account balance does exceed one million dollars (\$1,000,000.),  
4 the excess revenues shall revert to Categories A, B, C, D, and  
5 G in the percentages allocated in Subsection (b).

6 **C.(2) Additional Expenditure for Sports Events and**  
7 **Activities.**

8 In addition to the allocations set forth in Subsection C(1)  
9 above, the next two hundred and fifty thousand dollars  
10 (\$250,000) of the initial three percent (3%) of bed tax  
11 revenues shall be expended for the purposes set forth in  
12 Category G of the Tourist Development Plan, Section 17-116,  
13 Subsection B, beginning in FY 2000-01 and continuing for four  
14 (4) years, which allocation shall be in addition to the five  
15 percent (5%) allocation set forth for Category G in Subsection  
16 B herein.

17 **REPEAL OF LAWS IN CONFLICT.**

18 All local laws and ordinances applying to the  
19 unincorporated area of Palm Beach County in conflict with any  
20 provision of this ordinance are hereby repealed to the extent  
21 of any such conflict.

22 **SAVINGS CLAUSE.**

23 The provisions of the repealed ordinances are  
24 reenacted herein and shall continue in full force and effect  
25 without interruption with such modifications as contained in  
26 this Ordinance. This Ordinance is a continuation of the  
27 former ordinances and all rights and liabilities under the  
28 former ordinances are preserved and may be enforced.

29 **PENALTY.**

30 Any person convicted of violating any portion of



1 this Ordinance shall be punishable as provided by law.

2 **APPLICABILITY.**

3 This Ordinance shall be applicable in the  
4 unincorporated and incorporated areas of Palm Beach County.

5 **SEVERABILITY.**

6 If any section, paragraph, sentence, clause, phrase,  
7 or word of this Ordinance is for any reason held by a Court to  
8 be unconstitutional, inoperative or void, such holding shall  
9 not affect the remainder of this Ordinance.

10 **INCLUSION IN CODE OF LAWS AND ORDINANCES.**

11 The provisions of this Ordinance shall become and be  
12 made a part of the Code of Laws and Ordinances of Palm Beach  
13 County, Florida. The sections of this Ordinance may be  
14 renumbered or relettered to accomplish such, and the word  
15 "ordinance" may be changed to "section", "article", or other  
16 appropriate word.

17 **EFFECTIVE DATE.**

18 The provisions of this Ordinance shall become  
19 effective upon filing with the Department of State.

20 **APPROVED AND ADOPTED** by the Board of County  
21 Commissioners of Palm Beach County, on the 15 day of  
22 February, 2000.

23 DOROTHY H. WILKEN, CLERK  
24 Board of County Commissioners

25 By Dorinda C. Hickman  
DEPUTY CLERK

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

26 By Maudie Ford Lee  
27 Chair

28 APPROVED AS TO FORM AND  
29 LEGAL SUFFICIENCY

30 DW Drayton  
31 County Attorney

32 **EFFECTIVE DATE:** Filed with the Department of State on the  
33 24th day of February, 2000.

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STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on February 15, 2000  
DATED at West Palm Beach, FL on 3/8/00  
DOROTHY H. WILKEN, Clerk  
By Wane Brown